

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 20-35 are pending in the application, with Claims 20, 24, 27, 30 and 33 being the independent claims.

The Examiner objected to Claim 27. The Examiner rejected Claims 27-29 under 35 U.S.C. §101. The Examiner rejected Claims 20, 21, 24, 27, 30 and 33 under 35 U.S.C. §102(a) as being anticipated by “Revision of Handover-over Mechanism for Mobility Enhancement, 2004-01-02 to *Barber*. The Examiner rejected Claims 22, 23, 25, 26, 28, 29, 31, 32, 34 and 35 under 35 U.S.C. §103(a) as being unpatentable over *Barber* in view of “Inter-BS communication for IEEE 802.16e Handoff,” 2003-05-14 to *Koo et al.* (hereinafter, *Koo*).

Regarding the objection and the §101 rejection, Claim 27 has been amended to recite that a ranging request message is generated at the subscriber station for transmission to a target base station, a base station identifier of a previous serving base station is inserted into the ranging request message by the subscriber station, and the ranging request message is transmitted from the subscriber station to the target base station. Accordingly, Claim 27 clearly recites statutory subject matter, and Applicants respectfully request withdrawal of the objection and the §101 rejection.

Regarding the §102(a) and §103(a) rejections, the Examiner cites *Barber* alone or in combination with *Koo*. A Declaration of Prior Invention under 37 C.F.R. §1.131 is submitted herewith in order to establish conception of the present invention prior to the January 2, 2004 publication date of *Barber*. The declaration also establishes a constructive reduction to practice upon the filing of corresponding Korean Patent Application No. 10-2004-0006626, and diligence from prior to the January 2, 2004 publication date of *Barber* until the constructive reduction to practice. Accordingly, Applicants respectfully request removal of *Barber* as a reference, and assert that the rejections under 35 U.S.C. §102(a) and §103(a) should be withdrawn.

Accordingly, all of the claims pending in the Application, namely, Claims 20-35 are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written over a horizontal line.

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